



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

JUL 24 2019

Renee Shawn Clement

Southport, NC 28461

RE: MUR 7540

Dear Ms. Clement:

The Federal Election Commission reviewed the allegations in your complaint received on November 8, 2018 and the supplement to your complaint received on November 29, 2018. On July 19, 2019, based upon the information provided in the complaint, and information provided by the respondents, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to Lara Trump and Donald Trump for President, Inc. and Bradley Crate in his official capacity as treasurer, and close its file in this matter. Accordingly, the Commission closed its file in this matter on July 19, 2019. A copy of the General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009).

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 52 U.S.C. § 30109(a)(8).

Sincerely,

Lisa J. Stevenson  
Acting General Counsel

A handwritten signature in black ink, appearing to read "Jeff S. Jordan" with a date "1/19" written to the right.

BY: Jeff S. Jordan  
Assistant General Counsel

Enclosure  
General Counsel's Report

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**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM  
DISMISSAL REPORT**

**MUR: 7540**

**Respondents:** Lara Trump,  
Donald J. Trump for President, Inc.  
Bradley Crate, as Treasurer  
("Committee")

**Complaint Receipt Date:** Nov. 8, 2018

**Supplement Complaint Receipt Date:** Nov. 29, 2018

**Response Date:** Dec. 11, 2018<sup>1</sup>

**EPS Rating:**

**Alleged Statutory Violations:**

**52 U.S.C. § 30114(a)(3)**

The Complaint alleges that Lara Trump and the Committee violated the Federal Election Campaign Act ("the Act") when Lara Trump personally delivered a \$10,000 donation of Committee funds to Paws Place, a 26 U.S.C. § 501(c)(3) non-profit organization.<sup>2</sup> Complainant asserts that Lara Trump should have made the contribution from her own funds, not the Committee's funds.<sup>3</sup> The Committee responds that the Act permits campaigns to use their funds for charitable giving such as the donation in this particular case.<sup>4</sup>

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in

<sup>1</sup> No response received from Lara Trump.

<sup>2</sup> Compl. at 1 (Nov. 8, 2018); Suppl. Compl. at 1 (Nov. 29, 2018).

<sup>3</sup> *Id.* at 2.

<sup>4</sup> Resp. at 1 (Dec. 11, 2018).

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potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating and the apparent lack of a violation of the Act, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file and send the appropriate letters.

Lisa J. Stevenson  
Acting General Counsel

Charles Kitcher  
Acting Associate General Counsel

6.28.19  
Date

BY: Stephen Gura  
Stephen Gura  
Deputy Associate General Counsel

Jeff S. Jordan  
Jeff S. Jordan  
Assistant General Counsel

Kristina Portner  
Kristina M. Portner  
Attorney

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